



Talbot County Planning Commission
Final Decision Summary

Wednesday, January 4, 2017 at 9:00 a.m.
Wye Oak Room, Community Center
10028 Ocean Gateway, Easton, Maryland
Revised 01/31/17

Attendance:

Commission Members:

William Boicourt, Chairman
John N. Fischer, Jr., Vice Chairman
Michael Sullivan
Paul Spies
Phillip "Chip" Councill

Staff:

Mary Kay Verdery, Planning Officer
Elisa Deflaux, Environmental Planner
Meagan Patrick, Floodplain Coordinator
Mike Mertaugh, Assistant County Engineer
Victoria Rachel, Temporary Recording Secretary

1. Call to Order—Commissioner Boicourt called the meeting to order at 9:00 a.m.

2. Election of Officers

Commissioner Boicourt and Planning Officer Mary Kay Verdery conducted the annual election of officers for the Planning Commission. Commissioner Boicourt was re-elected as Chairman for 2017 by a vote of 3-2 and Commissioner Jack Fischer was re-elected as Vice Chairman for 2017 by a vote of 4-0, one person abstained. Commissioner Boicourt encouraged the Commission to consider electing someone else for chairman in 2018.

3. Decision Summary Review—December 7, 2016—The Commission noted the following correction to the draft decision summary:

- a. Line 216 was struck from the minutes as inaccurate.

Commissioner Councill moved to approve the draft Planning Commission Decision Summary for December 7, 2016, as amended; Commissioner Spies seconded the motion. The motion carried unanimously.

4. Old Business

None

5. New Business

- a. Major Site Plan- Composite Yacht, #SP578/L1266-1650 Marina Drive, Trappe, MD 21673, (map 62, grid 19, parcel 21, zoned Limited Commercial/ Intensely Developed Area), Sean Callahan, Lane Engineering, LLC, Agent.

Elisa Deflaux presented the staff report of the applicant's request for two separate items and seven waivers. The specific requests are annotated as follows:

1.) *Major Site Plan* – The applicant is requesting Major Site Plan approval for the expansion of a yacht construction and boat service business classified as a Boat and Marine Sales and Assembly with Outdoor Storage and Sales to include the following:

(A) Construction of a 23,560 square foot one story 5 bay boat storage/construction/repair/office/sales building,

(b) Construction of a 200 square foot paint storage shed, and

(c) Approval of a 1,932 square foot poly steel structure for boat repair.

2.) *Waivers Requested*

(1) 190-120 A. Pedestrian Sidewalk and Street Lights

(2) 190-122 B. (3) (b) Landscaping in Parking Areas

(3) 190-122 B. (3) (c) Deciduous Shade Trees

(4) 190-122 D. (1) Street Trees

(5) 190-128 B. Off Street Parking

(6) 190-128 H. Loading Spaces

(7) 190-128 G. Bicycle Parking

Staff recommendations include:

1. Request to the Planning Commission to table this project until the site plan provides greater consistency with the Code. We anticipate this project to be placed on the March 1, 2017 agenda for a decision relating to the site plan and requested waivers.

Martin Hardy, the owner of Last Chance Partnership, LLC, Jarrett Beyer, and Sean Callahan of Lane Engineering were in attendance; Sean Callahan spoke on behalf of the applicant.

Mr. Callahan stated that he had two things to present; the particulars of the Site Plan, and Special Exception for recommendations to the Board of Appeals for expansion of site and use. In a Power Point presentation, Mr. Callahan explained several pieces of the site plan.

Among those items discussed were the landscape plan, the site utility plan, the parking lot layout, the size of the proposed new building with parapet, and how it compared to other buildings in the area. Mr. Callahan proposed a 50 ft. high building. The building exceeds the 40 ft. high limitation required by the County's zoning ordinance. He referred to The Hyatt Regency hotel, St. Luke's Church, and Park View Apartments as examples of buildings of comparable height in the

vicinity of the proposed new structure. He also stated that the waivers were added to maximize the use of the proposed property. Mr. Callahan further stated that the site currently looks like a shopping center but it is a boat building business. He expressed concerns of the placement of several trees in front of the existing property due to the adverse effect the trees would have on the boats. According to Mr. Callahan, the applicant is proposing to not hide the property behind street trees, but to highlight it with some lower level landscaping. Mr. Callahan also mentioned that the phragmites from the storm water pond, break up the view of what goes on at the site.

Mr. Callahan pointed out some sections of the Comprehensive Plan that made it obvious that the project was consistent. He highlighted the economic benefits of the project which would employ 27 employees (the number includes those employees currently working at the cabinet shop in that building), and the educational opportunities it would provide. He also indicated that the site was an appropriate location for the boatyard business. Mr. Callahan felt it was important to point out to The Commission that the boatyard was a family business and Composite Yacht would continue the rich tradition of boat building on the Eastern shore. The project would house 50 boats on the property.

Commissioner Councell stated that due to the topography of the land, he would not have a problem with the 50 foot height of the proposed structure. However, he questioned what would happen if the building was sold. Planning Officer, Mary Kay Verdery, interjected that if the building was sold, and the new buyer wanted to change the use of the property, an application for a new site plan would be required. The Planning Officer reminded the Commission that they did not have to make a decision on the project immediately as Mr. Callahan and his team would need to make some modifications to the proposal before they reappeared before the Commission.

Commissioner Spies commented that a sidewalk was not necessary at this juncture, but indicated that at some point, one may be appropriate in the future. As it pertained to the waivers, Commissioner Fischer suggested that a few street trees at the east end would not affect the boats. Commissioner Boicourt remarked that a few aesthetically placed trees would give a pleasant view from the bridge.

Mr. Boicourt indicated that he was comfortable with the waiver for loading spaces since there was plenty of space for parking and loading and traffic would be at a minimum. However, Commissioner Boicourt was primarily concerned with the bulk and appearance of the building. Both Commissioner Sullivan and Commissioner Councell did not want to set any precedent on the issue of the 50 foot height of the proposed structure. Commissioner Spies was also concerned about a 50 foot tall building planned as part of the project; however, he explained that he understood that in order for Composite Yacht to be successful and to stay competitive in this kind of business, a structure of such a height was necessary.

Mr. Spies encouraged the Commission to figure out a way to get the project underway. Commissioner Sullivan added that the location was ideal for this kind of business.

Commissioner Boicourt invited comments from the audience on the project. Planning Officer, Mary Kay Verdery, introduced Ryan Snow, the newly hired Project Manager, for the Department of Economic Development and Tourism. (Although Mr. Snow did not voice any comments, his presence indicated his support of this kind of business in the County and Mr. Snow was welcomed as part of the Talbot County team).

Commissioner Spies suggested that Findings of Facts should accompany the Commission's recommendations to the Board of Appeals. Mr. Boicourt agreed wholeheartedly and reiterated that such supporting statements give the Board of Appeals a sense of the premise for the decisions made by the Commission. Subsequently, the Commission and the Planning Officer itemized the following Findings of Facts as support for the recommendation to the Board of Appeals (BOA).

1. Property location is appropriate
2. Appropriate use in County
3. Justifications for waivers
4. Provision of 27 jobs
5. Consistent with the Comprehensive Plan

Mr. Fischer inquired whether the 50 foot parapet was included among the items to be tabled. The Planning Officer then stated that decision on a variance was made by the Board of Appeals.

Commissioner "Chip" Councill moved to recommend to the Planning Officer to table the Major Site Plan and Waivers for Composite Yacht, 1650 Marina Drive, Trappe, Maryland 21673. Commissioner Fischer seconded the motion. The motion carried unanimously.

- b. Recommendation to Board of Appeals for Special Exception- Composite Yacht, #16-1655 -1650 Marina Drive, Trappe, MD 21673, (map 62, grid 19, parcel 21, zoned Limited Commercial/ Intensely Developed Area), Sean Callahan, Lane Engineering, LLC, Agent.

Composite Yacht, LLC is requesting a special exception for an expansion of the yacht construction and boat service business classified as a Marine and Boat Sales and Assembly with Outdoor Commercial Storage and Sales to include the following:

- (1) Construction of a 23,560 square foot one story 5 bay boat storage/construction/repair/office/sales building,
- (2) Construction of a 200 square foot paint storage shed, and

(3) Approval of a 1,932 square foot poly steel structure for boat repair.

In addition, the applicant is requesting a variance to allow a 10 foot parapet architectural feature for a 50 foot total building height in excess of the 40 foot limitation for structures for the middle part of building associated with the boat storage and repair shop.

Staff recommendations include:

1. The applicant will need to obtain Site Plan approval.
2. The applicant shall make applications to, and follow all of the rules, procedures, and construction timelines as outlined by the Office of Permits and Inspections regarding new construction.
3. The applicant shall commence construction on the proposed improvements within (18) months from the date of the Board of Appeals approval or the Notice to Proceed for the Site Plan approval.

Item (a.) Site Plan file #SP578/L1266 on the agenda was merged for conversation with item (b.) Special Exception #16-1655.

Commissioner Councill moved to recommend that the Board of Appeals grant special exception for an expansion and modification of use for major site plan for Composite Yacht, 1650 Marina Drive, Trappe, Maryland 21673 with staff recommendations; Commissioner Spies seconded the motion. The motion carried unanimously.

- c. Major Revision Plat - Talbot County, Maryland and The Family and Friends of Asbury and Green Chappell Inc.#L1263-May Port Road, Bozman, MD 21612 (map 31, grid 15, parcel 160, zoned Rural Conservation), Chris Waters, Waters Professional Land Surveying, Agent.

Mrs. Elisa Deflaux presented the staff report of the applicants' request as follows: Talbot County is requesting that the Planning Commission approve an adjustment of certain lot lines between a County owned and maintained right-of-way along May Port Road, being part of the former (pre-1958) Bozman-Neavitt Road, and an abutting parcel of land owned by The Family and Friends of Asbury and Green Chappell, Inc., a nonprofit. The County intends to dispose of and transfer ownership of approximately .13 acre of land to the nonprofit consisting of an underutilized section of the former (pre-1958) Bozman-Neavitt Road, which will be reclassified as a private driveway by this Major Revision Plat.

Staff recommendations include:

1. Applicant must address the December 14, 2016 TAC comments from the Department of Planning and Zoning, Department of Public Works,

Environmental Health Department, Talbot Soil Conservation District, and the Environmental Planner prior to preliminary plat submittal.

The applicants were represented by Mr. Chris Waters of Waters Professional Land Surveying, and Ms. Childene Brooks. Mr. Waters stated that the Commission saw the Preliminary Major Revision Plat before and not many changes had occurred since then. He stated that the Technical Advisory Committee (TAC) requested the addition of a signature line which he attributed to the drainage utility easements that were proposed. He also stated that there was a proposal to turn the gravel area into a roadway.

Commissioner Boicourt asked for public comments; none were made.

Commissioner Sullivan moved to approve the Preliminary and Final Major Revision Plat for Talbot County Government & The Family and Friends of Asbury and Green Chappell, Inc., May Port Road, Bozman, Maryland 21612 with staff recommendations; Commissioner Fischer seconded. The motion carried unanimously.

- d. Sketch Major Revision Plat – Rodney Nelson and Bobbi Nelson #L1268-30716 Taylor Road, Trappe, MD 21673(map 55, grid 10, parcel 96 and 46, zoned Rural Conservation/Agricultural Conservation), Robert M. Hughes & Associates, Inc., Agent.

Mrs. Elisa Deflaux presented the applicant's request for approval of a Major Revision Plat for the adjustment of lot lines.

Staff recommendations include:

1. Address the December 14, 2016 TAC comments from the Department of Planning and Zoning, Department of Public Works, Environmental Health Department, Talbot Soil Conservation District, and the Environmental Planner prior to preliminary plat submittal.
2. The applicant will need to receive a lot size waiver for the Rural Conservation (RC) portion of the property.

Mr. Rodney Nelson, property owner, and Mr. Robert Hughes of Robert M. Hughes & Associates, Inc. were present. Mr. Hughes indicated that there was an inconsistency between the recorded plat for the subdivision and the deed. He pointed out the discrepancy on the plat to the commission. Mr. Councill remarked that the request was straightforward; Mr. Boicourt agreed.

Commissioner Boicourt asked for public comments; none were made.

Commissioner Fischer moved to approve the Sketch Major Revision Plat for Defenders Packing Company, Inc. and Rodney and Bobbie Nelson, 30716 Taylor Road, Trappe, Maryland 21673 with staff recommendations; Commissioner Sullivan seconded. The motion carried unanimously.

6. Discussions Items

None

7. Staff Matters

Planning Officer, Mary Kay Verdery, gave an update on NextStep190. She reported that NextStep190 community meetings were held in Easton, Cordova, and St. Michaels. Although the meetings were not well attended, the feedback during each meeting was good. Ms. Verdery indicated that both a transcription of the meetings and a summary of the meetings were on the website nextstep190.com. She further stated that the major topics that were discussed and major concerns from those meetings were also on the website; updates and project status would also be posted.

The Planning Officer indicated that staff had moved forward with two Working Waterfront grant projects, master plans for Bellevue and Tilghman respectively. The Planning Officer noted that a working draft was received from the consultant and staff was not pleased with the content of the project. As a result, Mrs. Elisa Deflaux and Miss. Meagan Patrick attended the Citizen Advisory Committee meetings on January 3, 2017 in both towns, in an attempt to obtain answers to some additional questions and glean more information. The goal was to ultimately procure a better product for the master plans.

Ms. Verdery informed the group of an email that she forwarded from Lynn Thomas. The email shared a request for a joint meeting between the Town Council and the County Council on January 23, 2017 at 6.p.m. The meeting is scheduled to be held at the Town of Easton Chambers at which the Port Street Small Area master plan would be discussed. An invitation was also extended to the Town's Planning Commission and the County's Planning Commission members as well.

The Planning Officer also announced the return of Martin Sokolich, Long Range Planner, to the Department of Planning and Zoning. She also indicated that Miguel Salinas would be on staff as the new Assistant Planner beginning on February 6, 2017.

In response to the NextStep190 website, Commissioner Councell stated that he looked on the website and found it informative. Commissioner Boicourt opined that getting the issues in advance was good.

Commission Matters

8. Adjournment—Commissioner Boicourt adjourned the meeting at 10:41 a.m.